

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

INTERNATIONAL REVIEW PANEL

43rd MEETING

Cancun (Mexico)

19 June 2007

AGENDA

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1. Opening of the meeting	
2. Election of the Presider	
3. Adoption of the agenda	
4. Election of NGO members	
5. Approval of the minutes of the 42 nd meeting	
6. Review of Dolphin Mortality Limits (DMLs) for 2006 and 2007	IRP-43-06
7. Resolving a vessel's possible infractions before a change of flag	IRP-43-07
8. Review of AIDCP <i>List of Qualified Captains</i>	IRP-43-08
9. Review of observer data	
10. Review of actions by Parties on possible infractions reported by the IRP:	
a. Actions taken since report at 42 nd meeting	IRP-43-10a
b. Status review of special cases	IRP-43-10b
11. Report of the Permanent Working Group on Tuna Tracking	
12. Standards for candidates for observers for the On-Board Observer Program	IRP-43-12
13. Report of the Working Group to promote and publicize the <i>AIDCP Dolphin Safe</i> Tuna Certification System	
14. Other business:	
a. Vessel with DML unable to set on dolphins before 1 April 2007	
15. Recommendations for the Meeting of the Parties	
16. Place and date of next meeting	
17. Adjournment	

The 43rd Meeting of the International Review Panel was held in Cancun, Mexico, on 19 June 2007. The attendees are listed in Appendix 1.

1. Opening of the meeting:

The meeting was opened by Dr. Robin Allen, Director of the Inter-American Tropical Tuna Commission.

2. Election of the Presider:

Mr. Alvin Delgado of Venezuela was elected to chair the meeting.

3. Adoption of the agenda:

The provisional agenda was adopted without any changes.

4. Election of NGO members:

Dr. Allen explained that he had received only one nomination for tuna industry representation on the IRP and another for representation by non-governmental environmental organizations, leaving the two additional members and the respective alternates for these two groups vacant. Several delegations noted that there would be other candidates for these positions if the period for presenting nominations were extended. Ecuador proposed 30 days for the submission of nominations and 15 additional days for the election process, and this was agreed by the Panel. Thus, the deadline for receipt of nominations would be 19 July, and the election would be held between 20 July and 4 August.

5. Approval of the minutes of the 42nd meeting:

The minutes of the 42^a meeting of the Review Panel were approved as presented.

6. Review of Dolphin Mortality Limits (DMLs) for 2006 and 2007:

The Secretariat reviewed the status of the assignments, reallocations, and utilization of DML in 2006, summarized in Document IRP-43-06, and also presented information on DMLs for 2007 up to 31 May. The Ocean Conservancy asked that in future dolphin mortality be included in this table.

7. Resolving a vessel's possible infractions before a change of flag:

Dr. Allen noted that a paper prepared by the United States and the European Union was to be presented on this subject. The United States explained that it had prepared a draft paper, but had not yet had the opportunity to consult with the European Union on it. Consequently, it was agreed that the discussion on this agenda item would be postponed until the next meeting of the Panel.

8. Review of AIDCP *List of Qualified Captains*:

The Secretariat presented Document IRP-43-08, *Changes in the AIDCP List of Qualified Captains*. This list updates the changes between 11 October 2006 and 7 June 2007, and it was noted that 19 new captains were added, 2 removed and 3 reinstated.

9. Review of observer data:

The Secretariat presented the data reported by observers of the On-Board Observer Program relating to possible infractions received and processed by the Secretariat since the Panel's previous meeting. The Panel discussed those cases that were not automatically referred to the pertinent Parties, and forwarded those that indicated possible infractions of the AIDCP to the responsible government for investigation and possible sanction.

The Secretariat noted the case of a vessel of less than 363 t sighted by an observer fishing on dolphins that had been reviewed at the meeting in October 2006. The flag government had been notified three times by the Secretariat that the vessel should carry an observer and pay the corresponding assessment to the AIDCP, but it had not responded to any of these communications. Furthermore, the vessel had made at least 6 trips since 16 December 2006. The United States proposed recommending to the Meeting of the Parties that the name of the vessel and of its flag government be released to the Panel, and this was agreed.

The Secretariat presented another case of a sighting of another vessel of less than 363 t of the same Party making sets on dolphins, but noted that it had not yet sent a notification to the Party in question, waiting until the case had been reviewed at this meeting.

Various delegates expressed great concern about this situation, and hoped that the vessels' flag Party would take action, monitor these cases, and report back to the Panel.

Among the observer reports reviewed there were four cases of observer interference, which were referred to the corresponding Parties for investigation and possible sanction.

10. Review of actions by Parties on possible infractions reported by the IRP:

a.- Actions taken since report at 42nd meeting:

The Secretariat presented Document IRP-43-10a, *Responses to six types of possible infractions identified during the 41st and 42nd meetings*. Venezuela noted that in the coming weeks the Secretariat will receive the responses to the infractions pending from the previous meetings.

b.- Status review of special cases:

The Secretariat presented Document IRP-43-10b, *Summary of pending special cases monitored by the IRP*, in which the status of the cases classified as special is updated. In case 40-01 a response had been received from the Party involved, indicating that no infraction had occurred, and consequently the Panel agreed that this case should be removed from the list of special cases.

No responses had been received from any of the Parties involved in the other six cases. Several delegations expressed concern about this, and encouraged those Parties to respond as soon as possible.

The Secretariat also presented Document IRP-43-INF A, *Identified cases of observer interference*, as requested at the last meeting of the Panel, which shows that there are nine cases without response since 2003 (Appendix 2). Various delegations expressed concern and encouraged the Parties once again to respond about these cases.

At the request of several delegations, later in the meeting a table was presented showing the status of all infractions reported on since 2000 (Appendix 3).

11. Report of the Permanent Working Group on Tuna Tracking:

The Chair of this Working Group presented her report of the 23rd meeting.

12. Standards for candidates for observers for the On-Board Observer Program:

The Secretariat presented Document IRP-43-12, *Standards for selecting observers for the AIDCP on-board observer program*. Several delegations stated that the establishment of standards would be useful, and it was proposed that the matter be reviewed in October at the meeting of the IATTC and national observer programs.

13. Report of the Working Group to promote and publicize the AIDCP Dolphin Safe Tuna Certification System:

The Chair of this working group presented his report.

14. Other business:

a. Vessel with DML unable to set on dolphins before 1 April 2007:

Venezuela explained that this vessel, for reasons of *force majeure*, had not been able to make sets on dolphins before 1 April. He explained that this vessel has a history of fishing for tuna associated with dolphins, indicating that this is not a case of a frivolous request, and was therefore requesting that it be granted a second-semester DML. The Panel approved the request, and Venezuela explained that the DML for this vessel would be obtained from an internal redistribution of its national DML.

b. Case of Bolivia:

Bolivia asked that the Panel consider granting a DML from the Reserve DML Allocation (RDA) to some vessels that will soon be incorporated in Bolivia. Dr. Allen explained that it was possible to grant DMLs from the RDA, but that the number of dolphins available is very small. The United States expressed concern over any increase in fleet capacity that would result from the addition of any new vessels. Bolivia noted that these vessels would comply with all the requirements of the IATTC and the AIDCP.

15. Recommendations for the Meeting of the Parties:

The Panel made the following recommendations to the Meeting of the Parties:

1. That the name of the vessel and the Party in which it is registered, as described in Section 9 of these minutes, *Review of observer data*, be released to the Panel.
2. That the elections for the non-governmental members of the Panel be held in the manner described in Section 4 of these minutes.
3. Assign second-semester DMLs to a vessel, as noted in Section 14a of these minutes.

16. Place and date of next meeting:

The next meeting of the Panel will be held in La Jolla on 23 October.

17. Adjournment:

The meeting was suspended until the subsidiary working groups had closed their sessions, and was then adjourned.

Appendix 1.

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Appendix 2.

DOCUMENTO IRP-43-INF A

**CASOS IDENTIFICADOS DE INTERFERENCIA AL OBSERVADOR
IDENTIFIED CASES OF OBSERVER INTERFERENCE**

Año ¹ Year	Número de casos Number of cases	No hubo infracción No infraction	Bajo investigación Under investigation	Confirmado Confirmed	Sin respuesta No response
1999	1	1			
2000	11	6	1	4	
2001	7	2	2	3	
2002	5	4		1	
2003	4	1		2	1
2004	5			2	3
2005	8	3	1		4
2006	2		1		1
Total	43	17	5	12	9

Appendix 3.

DOCUMENTO IRP-43-INF B

**RESULTADOS DE POSIBLES INFRACCIONES (PI) IDENTIFICADAS POR EL PANEL
OUTCOMES OF POSSIBLE INFRACTIONS (PI) IDENTIFIED BY THE PANEL**

Año Year	Número de viajes Number of trips	PI Total Total PI	No hubo infracción No infraction	Bajo investigación Under investigation	Confirmado Confirmed	Sin respuesta No response
2000	647	699	104	147	419	29
2001	684	375	94	88	190	3
2002	750	207	15	31	152	9
2003	871	166	31	39	68	28
2004	760	119	37	7	21	54
2005	818	66	26	24	11	5
2006	475	59	10	38	1	10
Total	5,086	1,691	317	374	862	138

¹ Año de comienzo del viaje – Trip departure year